

U.S. DISTRICT COURT
WESTERN DISTRICT OF LOUISIANA
RECEIVED

In the United States District Court
Louisiana Western District Court
(U.S. District Courts)
800 Lafayette, Suite 2100 Lafayette, LA 70501, USA

JUL 25 2022

TONY R. MOORE CLERK
BY: KW
DEPUTY

Missouri)

Louisiana Et Al) Cause 3:22-CV-01213

VS) Petition to Intervene

Joe Biden Et Al)

Comes now Intervenor Judson Witham as states as follows, Upon Personal Experience, Knowledge and Belief, the Social Media Corporations in collusion with several United States Inc. Agencies and the White House have engaged in a Back Door Secretive Collusion and Conspiracy to Silence Opposition Voices and the Censor facts and news from YouTube, META/ FaceBook, Alphabet / Google Twitter ETC ETC Social Media Platforms. The Social Media Corporations NEVER provide details or specifics of Why deplatforming, removal, shadow banning and removal of Intervenor's Postings and Content are Censored, Only The Fact the Censorship is Noticed and Meaningful Appeal Procedures DO NOT EXIST.

1. Intervenor has a News Service dating back to 1970 and is an Investigative Journalist with legacy Trust Media. The USA Inc., with the named and yet to be named Social Media Corporations CENSOR and REMOVE Content and Postings without any explanation, without any specific reasoning and refuse to account SPECIFICALLY for the Draconian Censorship Practices.
2. Intervenor Witham has 100s of Journalists, Bloggers and Investigators that complain constantly about the Censorship going back to the year 1999 and even further.
3. The Social Media Corporations collusion with USA Inc. and the Biden Administration Et Al to Silence the Speech of Social Media Users to accomplish GOVERNMENT APPROVED expression policies VIOLATES the Freedom of Expression Laws and Precedents of a Vast Litany of First Amendment Mandates by the Courts of the United States and the Several States.
4. Intervenor is a Target of this Censorship and a Member of a Very Large Class of other MATERIAL WITNESSES that herein give NOTICE of being Victimized by Harmed By

and Stripped of Their Rights of Free Expression by the USA Inc., The Social Media Corporations like META / FaceBook, YouTube, Google, Twitter, Yahoo etc etc.

5. NOTICE is herein Given of the existence of Millions of Material Witnesses and Victims of the Conduct complained of by the State of Missouri and Louisiana.

I.

INTERVENTION of Right and Alternatively Permissive Intervention

1. **Judson Witham has Standing to Intervene and also Notices the Courts of the United States of Millions of Victims and Material Witnesses to the Complained Conduct as stated by Louisiana and Missouri States.**
2. **Intervention of right is here seen to be a kind of counterpart to Rule 19(a)(2)(i) on joinder of persons needed for a just adjudication: where, upon motion of a party in an action, an absentee should be joined so that he may protect his interest which as a practical matter may be substantially impaired by the ...**

Rule 24. Intervention | Federal Rules of Civil Procedure

3. **Permissive Intervention In permissive intervention, the court may permit a third party to intervene if the party's claim shares a common question of law or fact with the existing case and it will not delay the lawsuit or prejudice the original parties' rights.**

intervene | Wex | US Law | LII / Legal Information Institute

Wherefore Intervenor Witham seeks status as an Intervenor of Right and respectfully so moves the Court, alternatively Permissive Intervention is requested.

Missouri et al v. Biden et al

Case Summary

On May 5, 2022, the **State of Missouri and the State of Louisiana** (together, "Plaintiffs"), represented by Elizabeth B. Murrill of the Louisiana Attorney General's Office, filed a **civil action** against **Joseph R. Biden, Jr.**; Jennifer Rene Psaki; Vivek H. Murthy; Xavier Becerra; the Department of Health and Human Services (HHS); and Ors (collectively, "Defendants"), seeking declaratory and injunctive relief, among other reliefs, for the Defendants' alleged creation of a "Disinformation Governance Board" within the Department of Homeland Security which violates the fundamental right of free speech and free discourse for virtually all citizens in Missouri, Louisiana, and America, both on social media and elsewhere. This case was filed in **U.S. District Court in the Western District of Louisiana** with Judge Terry A. Doughty and Judge Kayla D. McClusky presiding.

In the complaint, Plaintiffs alleged that, "Defendants' campaign of censorship has culminated in the recent announcement of the creation of a "Disinformation Governance Board" within the Department of Homeland Security. "Our constitutional tradition stands against the idea that we need Oceania's Ministry of Truth." United States v. Alvarez, 567 U.S. 709, 728 (2012) (plurality op.). Likewise, our constitutional tradition stands against the idea that we need a "Disinformation Governance Board" within our federal domestic-security apparatus."

The Plaintiffs further alleged that, "On information and belief, the immunity provided by Section 230 of the CDA directly contributed to the rise of a small number of extremely powerful social-media platforms, who have now turned into a "censorship cartel." The liability provided by the federal government artificially subsidized, fostered, and encouraged the viewpoint and content-based censorship policies that those platforms have adopted at Defendants' urging."

The Plaintiffs also alleged that, "As a direct result of these actions, there has been an unprecedented rise of censorship and suppression of free speech—including core political

speech—on social-media platforms. Not just fringe views, but perfectly legitimate, responsible viewpoints and speakers have been unlawfully and unconstitutionally silenced in the modern public square. These actions gravely threaten the fundamental right of free speech and free discourse for virtually all citizens in Missouri, Louisiana, and America, both on social media and elsewhere.”

The Plaintiffs then alleged that, “Thus, Defendants’ conduct alleged herein has created, with extraordinary efficacy, a situation where Americans seeking to exercise their core free-speech right to criticize the President of the United States are subject to aggressive prior restraint by private companies acting at the bidding of government officials. This situation is intolerable under the First Amendment.”

The Plaintiffs have laid down four claims for relief. The first claim alleged is for violation of the First Amendment, the second claim alleged is for an action in excess of statutory authority, the third claim alleged is against the HHS Defendants for the alleged violation of the Administrative Procedure Act and the last claim alleged is against the DHS Defendants for the alleged violation of the Administrative Procedure Act

In their prayer for relief, the Plaintiffs requested that the Court declare that the Defendants’ conduct violates the First Amendment of the U.S. Constitution; declare that the Defendants’ conduct is ultra vires and exceeds their statutory authority; and also declare that the Defendants’ conduct violates the Administrative Procedure Act and is unlawful, and vacate and set aside such conduct and also grant injunctive relief against the Defendants from continuing to engage in the unlawful conduct alleged herein.

II.

Notice to United States Inc., President Joe Biden Etc Et Al

- 1. There exists Millions of Witnesses to the Conduct alleged by Missouri and Louisiana.**
- 2. Millions of Americans because of the Unlawful Censorship have been denied Free Access to Important Information and News and therefore DAMAGED by the Censorship.**
- 3. The USA Inc., President Biden need to be Held Accountable and made to PAY Damages to the Injured Parties, the Social Media Corporations MUST PAY DAMAGES including but NOT LIMITED to Nominal and Punitive Damages to ALL Persons and Entities so CENSORED.**

Wherefore Premises Considered Judson Witham Moves His Intervention be APPROVED and that others may so, as well, JOIN IN THIS ACTION.

Respectfully Submitted



Judson Witham

15215 Aiken

Wake Forest NC 27587

Certificate of Service

**This is to Certify on July 24th, 2022 ... that a Copy of this intervention has been by Electronic
Means and US Postal Delivery been made upon all Parties in this Action**

Respectfully

Judson Witham